



PATENT
81674-264196

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)
)
Robert G. Gally, ET AL.)
)
Serial No: 09/702,630)
)
Filing Date: October 31, 2000)
)
For: DISTRIBUTED SWITCH/ROUTER)
SILICON ENGINE)
_____)

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**DECLARATION OF PROOF OF PER FLEMMING HANSEN'S UNAVAILABILITY
TO SIGN DECLARATION OF INVENTORSHIP**

I, ROGER R. WISE, declare as follows:

1. I am a patent attorney, duly licensed to practice law before all the Courts in the State of California, and registered to practice before the United States Patent and Trademark Office. I am a member of the law firm of Pillsbury Winthrop LLP, and am an attorney for the available applicants as identified in the accompanying Petition.

2. The facts stated herein are personally known to me, and I have first-hand knowledge thereof; if called upon to do so, I could and would competently testify thereto, under oath.

3. On January 9, 2001, I sent via airmail a complete copy of the application papers, including the specification, claims, drawings, and declaration, for the above-identified U.S. patent application to PER FLEMMING HANSEN'S last known address.

A copy of the application papers and the January 9, 2001 letter which I sent to MR. HANSEN'S last known address are attached hereto as Attachment 1.

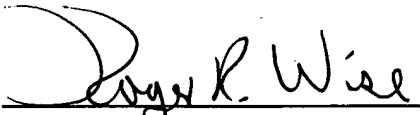
4. As of May 25, 2001, I have not heard nor received any reply from PER FLEMMING HANSEN regarding this matter.

5. The last known address of residence of PER FLEMMING HANSEN is as follows:

Maglegaards Alle 120
2860 Soeborg, Denmark

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: May 24, 2001

By: 
Roger B. Wise
Attorney for Applicant(s)
Registration No. 31,204

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ATTACHMENT 1



PILLSBURY WINTHROP LLP

725 SOUTH FIGUEROA STREET SUITE 2800 LOS ANGELES, CA 90017-5406 213.488.7100 F: 213.629.1033

January 9, 2001

Roger R. Wise
213.488.7584

rwise@pillsburywinthrop.com

PRIVILEGED & CONFIDENTIAL
ATTORNEY-CLIENT
COMMUNICATION
VIA AIRMAIL

Mr. Per Flemming Hansen
Maglegaards Alle 120
2860 Soeborg, Denmark

Re: U.S. Patent Application No. 09/702,630
DISTRIBUTED SWITCH/ROUTER SILICON ENGINE
Intel Matter No.: P7781
Our Docket No.: 081674.026 4196

Dear Mr. Hansen:

This is to confirm that the above-identified patent application was filed in the U.S. Patent and Trademark Office on October 31, 2000.

Enclosed is a copy of the specification and drawings as filed, and Declaration and Assignment forms to be executed and returned.

Also enclosed is the so called Customer Feedback Questionnaire form. Please complete and return it to Ms. Janice Boulden at JF3-147.

If you have any questions or comments, please let me know.

Very truly yours,

Roger R. Wise
PILLSBURY WINTHROP LLP

RRW:jes
Enclosures

cc: Glenn J. Perry, Esq. (w/o enclosures)

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<p>PATENT & TRADEMARK OFFICE</p> <p>FOR UTILITY/DESIGN CIP/PCT NATIONAL/PLANT ORIGINAL/SUBSTITUTE/SUPPLEMENTAL DECLARATIONS</p>	<p>RULE 63 (37 C.F.R. 1.53) DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</p>	<p>PM & S FORM</p>					
<p>I, below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the <u>INVENTION ENTITLED</u></p>							
<p><u>DISTRIBUTED SWITCH/ROUTER SILICON ENGINE</u></p>							
<p>the specification of which (<u>CHECK applicable BOX(ES)</u>)</p>							
<p>X A. <input type="checkbox"/> is attached hereto.</p>							
<p>BOX(ES) → B. <input checked="" type="checkbox"/> was filed on <u>October 31, 2000</u> as U.S. Application No. <u>09/702,630</u></p>							
<p>→ C. <input type="checkbox"/> was filed as PCT International Application No. PCT/ / on _____</p>							
<p>and (if applicable to U.S. or PCT application) was amended on _____</p>							
<p>I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:</p>							
PRIOR FOREIGN APPLICATION(S)		Date first Laid-open or Published	Date Patented or Granted	Priority NOT Claimed			
Number	Country	Day/MONTH/Year Filed					
If more prior foreign applications, X box at bottom and continue on attached page.							
Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:							
PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)			Status	Priority NOT Claimed			
Application No. (series code/serial no.)	Day/MONTH/Year Filed		pending, abandoned, patented				
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
And I hereby appoint Pillsbury Madison & Sutro LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or a below attorney in writing to the contrary.							
Paul N. Kokulis	16773	Paul E. White, Jr.	32011	Stephen C. Glazier	31361	Adam R. Hess	41835
Raymond F. Lippitt	17519	Glenn J. Perry	28458	Ruth N. Morduch	31044	William P. Atkins	38821
G. Lloyd Knight	17698	Kendrew H. Colton	30368	Richard H. Zaitlen	27248	Paul L. Sharer	36004
Kevin E. Joyce	20508	G. Paul Edgell	24238	Roger R. Wise	31204		
George M. Sirilla	18221	Lynn E. Eccleston	35861	Jay M. Finkelstein	21082		
Donald J. Bird	25323	Timothy J. Klima	34852	Michael R. Dzwończyk	36787		
Peter W. Gowdey	25872	David A. Jakopin	32995	W. Patrick Bengtsson	32456		
Dale S. Lazar	28872	Mark G. Paulson	30793	Jack S. Barufka	37087		
(1) INVENTOR'S SIGNATURE:							
Robert				G. GALLY			
First		Middle Initial		Family Name			
Residence	Beaverton	Oregon	USA				
City		State/Foreign Country		Country of Citizenship			
Post Office Address	14820 SW Bonnie Brae Street, Beaverton, Oregon 97007						
(include Zip Code)	97007						
(2) INVENTOR'S SIGNATURE:							
Eric				W. MULTANEN			
First		Middle Initial		Family Name			
Residence	Portland	Oregon	USA				
City		State/Foreign Country		Country of Citizenship			
Post Office Address	170 NW 114th Avenue, Portland, Oregon 97229						
(include Zip Code)	97226						
FOR ADDITIONAL INVENTORS, "X" box <input checked="" type="checkbox"/> and proceed on the attached page to list each additional inventor. <input type="checkbox"/> See additional foreign priorities on attached page (incorporated herein by reference).							
RECEIVED				Atty. Dkt. No. PM81674.026 4196 (M#)			
JUN 01 2001							
OFFICE OF PETITIONS							
PAT-116 500							

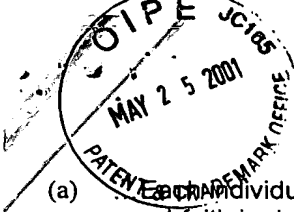


DECLARATION AND POWER OF ATTORNEY
(continued)
ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

Date:

Per	F.		HANSEN
First		Middle Initial	Family Name
Residence	Soeborg	Denmark	
City		State/Foreign Country	Country of Citizenship
Post Office Address (include Zip Code)	Maglegaards Alle 120, 2860 Soeborg, Denmark		
	2862		



56(a) & (b) = 37 C.F.R. 1.56(a) & (b)
PATENT AND TRADEMARK CASES - RULES OF PRACTICE
DUTY OF DISCLOSURE

- (a) Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the [Patent and Trademark] Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability... (b) information is material to patentability when it is not cumulative and (1) It also establishes by itself, or in combination with other information, a prima facie case of unpatentability of a claim or (2) refutes, or is inconsistent with, a position the applicant takes in: (i) Opposing an argument of unpatentability relied on by the Office, or (ii) Asserting an argument of patentability .

PATENT LAWS 35 U.S.C.

§102. Conditions for patentability; novelty and loss of right to patent

A person shall be entitled to a patent unless--

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for patent or
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of the application for patent in the United States, or
- (c) he has abandoned the invention, or
- (d) the invention was first patented or caused to be patented, or was the subject of an inventor's certificate, by the applicant or his legal representatives or assigns in a foreign country prior to the date of the application for patent in this country on an application for patent or inventor's certificate filed more than twelve months* before the filing of the application in the United States, or
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent, or
- (f) he did not himself invent the subject matter sought to be patented, or
- (g) before the applicant's invention thereof the invention was made in this country by another who had not abandoned, suppressed, or concealed it. In determining priority of invention there shall be considered not only the respective dates of conception and reduction to practice of the invention, but also the reasonable diligence of one who was first to conceive and last to reduce to practice, from a time prior to conception by the other.

§103. Condition for patentability; non-obvious subject matter

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made. . . .
- (c) Subject matter developed by another person, which qualified as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

* Six months for Design Applications (35 U.S.C. 172).

Attorney's Docket

ASSIGNMENT

PATENT

No.: 081674.026 4196 (For Execution After Filing Patent Application)

In consideration of good and valuable consideration, the receipt of which is hereby acknowledged, _____

the undersigned, **Robert G. GALLY; Eric W. MULTANEN and Per F. HANSEN**

hereby sell, assign, and transfer to **Intel Corporation**

a corporation of California, having a principal place of business at

2200 Mission College Boulevard, Santa Clara, CA 95052, ("Assignee"),
and its successors, assigns, and legal representatives, the entire right, title, and interest for the
United States and all foreign countries, in and to any and all improvements that are disclosed in
the application for the United States patent that was filed October 31, 2001 and assigned
Application No. 09/702,630 and is entitled:

DISTRIBUTED SWITCH/ROUTER SILICON ENGINE,

and in and to said application and all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications that have been or shall be filed in the United States and all foreign countries on any of said improvements; and in and to all original patents, reissued patents, reexamination certificates, and extensions that have been or shall be issued in the United States and all foreign countries on said improvements; and in and to all rights of priority resulting from the filing of said United States application;

agree that said Assignee may apply for and receive a patent or patents for said improvements in its own name; and that, when requested, without charge to, but at the expense of, said Assignee, its successors, assigns, and legal representatives, to carry out in good faith the intent and purpose of this Assignment, the undersigned will execute all divisional applications, continuation applications, continued prosecution applications, continuation-in-part applications, substitute applications, renewal applications, reissue applications, reexaminations, extensions, and all other patent applications on any and all said improvements; execute all rightful oaths, assignments, powers of attorney, and other papers; communicate to said Assignee, its successors, assigns, and representatives all facts known to the undersigned relating to said improvements and the history thereof; and generally assist said Assignee, its successors, assigns, or representatives in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements, and all applications for patents and all patents on said improvements, in said Assignee, its successors, assigns, and legal representatives; and

covenant with said Assignee, its successors, assigns, and legal representatives that no assignment, grant, mortgage, license, or other agreement affecting the rights and property herein conveyed has been made to others by the undersigned, and that full right to convey the same as herein expressed is possessed by the undersigned.

Date: _____, 20__

Name: _____

Date: _____, 20__

Name: _____

Date: _____, 20__

Name: _____

State of: _____

County of: _____

SS.

Assignment Document Return Address:

PILLSBURY MADISON & SUTRO LLP

1100 New York Ave., N.W.

Washington, D.C. 20005

(202) 861-3000

On this _____ day of _____, 20__, before me, _____,
the undersigned Notary Public, personally appeared _____

☐ personally known to me ☐ proved to me on the basis of satisfactory evidence to
be the person(s) whose name(s) _____ subscribed to the within instrument, and
acknowledged that _____ executed it.
WITNESS my hand and official seal.

Notary's Signature



CUSTOMER FEEDBACK QUESTIONNAIRE

Inventor Name: Per Flemming Hansen

Matter No. P7781

Corporate Group: (e.g. TMG, NCG, MPG, DPG) CPG

Name of Patent Attorney/Patent Agent/Patent Engineer Writing Application:
Jay C. Chiu

In an effort to improve the quality of Intel's patent portfolio, the Legal Department would like your feedback on the patent application process. Our goal is to ensure that patent applications are being carefully prepared in a timely manner without an undue burden on the inventors. Please answer the following questions based on your recent experience in filing a patent application. **PLEASE RETURN TO JANICE BOULDEN, JF3-147.**

1. How would you rate the attorney's overall technical knowledge and ability with the technology area of your invention at the time of your initial disclosure meeting:

1	2	3	4
Poor	Fair	Good	Excellent

2. How would you rate the attorney's overall technical knowledge and ability to grasp the concepts of your invention?

1	2	3	4
Poor	Fair	Good	Excellent

3. How would you rate the attorney's ability to articulate the legal requirements for filing a patent application? (e.g., enablement, best mode, the continuing duty to disclose prior art that is material to the patentability of your invention, and the significance of public disclosures and offers for sale.)

1	2	3	4
Poor	Fair	Good	Excellent

4. How would you rate the service provided by the attorney, including the availability, responsiveness, professionalism and demeanor of the attorney?

1	2	3	4
Poor	Fair	Good	Excellent

5. How many hours did you spend with the attorney (meetings and telephone calls) and in reviewing drafts of the application? _____

6. What suggestions do you have on improving the patent application process? _____

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